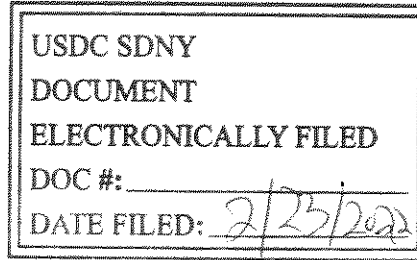




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VIA ECF

February 22, 2022

The Honorable Colleen McMahon
United States District Court for the Southern District of New York
500 Pearl Street, Room 2550
New York, NY 10007

**Re: *In re Omnicom Grp., Inc. ERISA Litig.*,
Case No. 1:20-cv-04141-CM- SLC**

Dear Judge McMahon,

We represent the Plaintiffs¹ in the above-referenced matter and we write pursuant to this Court's ECF Rule 21.7 regarding the emergency sealing request of Plaintiffs' memorandum of law in support of their motion for class certification ("Memorandum") (ECF No. 69-1).

Plaintiffs inadvertently filed on the public docket the version of the Memorandum intended to be filed under seal, which does not contain redactions for certain quotations from and descriptions of exhibits which Defendants have designated as "Confidential" pursuant to the protective order entered by the Court (ECF No. 67). The underlying exhibits were correctly filed under seal in the first instance.

This morning, the Court granted Plaintiffs' letter motion seeking leave to file under seal the relevant documents and related information reflected in the Memorandum (ECF No. 71). Plaintiffs have contacted the Clerk of Court and the Court's ECF Help Desk, and understand that ECF Rule 21.7 requires a separate application to the Court for the instant request. Accordingly, Plaintiffs now request that the Court formally seal ECF No. 69-1.

As stated in Plaintiffs' letter motion seeking leave to file the aforementioned documents and information under seal (ECF No. 68), Plaintiffs do not independently take the position that the documents and information sought to be filed under seal require such protection. However, Plaintiffs make this request out of an abundance of caution and deference to Defendants' designations under the protective order.

¹The Plaintiffs in this Action are Shane Tepper, Surfina Adams, Michael Mensack, Carol Maisonette, and Daniel Dise.



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Should the Court grant this request, unredacted courtesy copies of Plaintiffs' Memorandum will be delivered to the Court and a redacted version of the Memorandum will immediately be re-filed on the public record.

We are available to discuss this request further at the Court's convenience. Thank you for Your Honor's consideration of this request.

Respectfully submitted,

Laurie Rubinow
LR:bf

*Counsel for Plaintiffs, the Plan,
and the Proposed Class*

